

**ADJOURNMENT**

On motion of Senator Aikin the Senate at 11:45 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

**TWENTY-FOURTH DAY**  
(Wednesday, February 23, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Moore.

A quorum was announced present.

The Reverend Jerry Tompkins, Vice President, Austin Presbyterian Theological Seminary, offered the invocation as follows:

O God under whose grace this state came into being, We give thanks for Thy providence that has brought us to this new day filled with opportunity for new beginnings.

Deliver us, we pray Thee, from the tyranny of trifles. May we give our best thought and attention to what is important, that we may accomplish something worthwhile. Teach us to listen to Thee and each other, and thus save us from floundering in indecision that wastes time, subtracts from our peace, divides our efficiency and multiplies our troubles.

Through Jesus Christ our Lord. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVE OF ABSENCE**

Senator Moore was granted leave of absence for today on account of illness on motion of Senator Creighton.

**REPORTS OF STANDING COMMITTEES**

Senator Adams submitted the following report for the Committee on Administration:

S.B. 200  
S.B. 545  
S.C.R. 38  
S.C.R. 44  
S.C.R. 43  
S.C.R. 45  
H.C.R. 55  
H.C.R. 45  
C.S.H.C.R. 9 (Read first time)

Senator Mauzy submitted the following report for the Committee on Education:

S.C.R. 27  
S.B. 322

Senator Snelson submitted the following report for the Committee on Intergovernmental relations:

C.S.S.B. 184 (Read first time) .

Senator Schwartz submitted the following report for the Committee on Jurisprudence:

S.B. 249 (Amended)  
S.B. 365  
S.B. 634  
S.B. 389  
S.B. 209  
S.B. 183  
S.B. 361  
S.B. 32  
S.B. 12  
S.J.R. 30 (Amended)  
C.S.S.J.R. 18 (Read first time)  
C.S.S.B. 280 (Read first time)  
C.S.S.B. 186 (Read first time)  
C.S.S.B. 213 (Read first time)

#### SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 692 by Ogg State Affairs  
Relating to the services, duties and privileges of poll watchers; amending Section 21, Texas Election Code (Article 3.07, Vernon's Texas Election Code), as amended, by adding a new Subsection (i), and amending Subsection (h).

S.B. 693 by Mauzy Jurisprudence  
Relating to notice of injury; claim for compensation; amending Sec. 4a, Article 8307, Revised Civil Statutes of Texas, 1925, as amended.

**S.B. 694 by Schwartz**

Jurisprudence

Providing for certain conditions which can be required of a convicted felon for the granting of felony probation; and amending Sec. 6 of Article 42.12, Texas Code of Criminal Procedure, 1965, as amended.

**S.B. 695 by Schwartz**

Jurisprudence

Relating to the jurisdiction of the courts of this state to suspend further execution of their sentences and place the defendants on probation; amending Article 42.12 of the Code of Criminal Procedure, 1965, as amended; amending Article 42.13 of the Code of Criminal Procedure, 1965, as amended; and declaring an emergency.

**S.B. 696 by Schwartz**

Human Resources

Relating to the rights, duties, and remedies of tenants and landlords with respect to each other, as to security deposits and rentals; amending Subsection (c), Section 4, and Sections 5 and 6, Chapter 433, Acts of the 63rd Legislature, Regular Session, 1973 (Article 5236e, Vernon's Texas Civil Statutes); and declaring an emergency.

**S.B. 697 by Mauzy**

Jurisprudence

Relating to the regulation of coin-operated amusement machines and billiard tables by counties, cities and other political subdivisions and amending Subsection (c), Section (10), Article 19.01, Title 122A, Revised Civil Statutes of the State of Texas; to amend Section (1), Article 13.17, Title 122A, Revised Civil Statutes of the State of Texas; to amend Section 13.14, Title 122A, Revised Civil Statutes of the State of Texas; declaring an emergency; and providing such act to have effect immediately upon passage.

**S.B. 698 by Santiesteban**

Natural Resources

Relating to subsurface mineral rights in certain public free school fund land; amending Section 1(a), Chapter 590, Acts of the 63rd Legislature, Regular Session, 1973, as amended (Article 5421c-13, Vernon's Texas Civil Statutes); and adding Section 1A.

**S.B. 699 by Braecklein**

Jurisprudence

Relating to a limited guardianship for a mentally retarded person without a finding of incompetency; prescribing procedures, venue, and the powers and duties of the court, the limited guardian, and the Department of Mental Health and Mental Retardation; amending Chapter V, Texas Probate Code by adding Part 5 and Sections 130A through 130P.

**S.B. 700 by Braecklein**

Human Resources

Relating to legal rights of mentally retarded persons; admission and commitment to mental retardation services; transfer and discharge of clients, procedures, and appeals; establishing public responsibility committees; providing for confidentiality of records; providing for responsibility of the Texas Department of Mental Health and Mental Retardation and cooperation with other agencies; providing for rulemaking authority; providing for fees for services and support and maintenance of residents and the obligations of certain persons therefor, including liens upon certain property; providing penalties and remedies; providing for indemnity and representation of employees in suits under certain circumstances; providing effective dates; repealing Chapter 119, Acts of the 54th Legislature, Regular Session, 1955, as amended (Article 3871b, Vernon's Texas Civil Statutes); and declaring an emergency.

**S.B. 701** by Adams

Administration

Relating to authority of capitol complex security officers to carry firearms; repealing Section 7a, Chapter 102, Acts of the 58th Legislature, 1963, as amended (Article 678e, Vernon's Texas Civil Statutes).

**S.B. 702** by Jones of Taylor

Economic Development

Relating to regulation of certain acquisitions of control of state banks; adding Article 15 to Subchapter III, The Texas Banking Code of 1943, as amended (Article 342-301, et seq., Vernon's Texas Civil Statutes).

**S.B. 703** by Hance

Jurisprudence

Relating to the prosecution as adults of persons 15 years old or over who are alleged to have committed certain offenses; amending Subsection (b), Section 8.07, Penal Code, as amended; amending Subsection (c) of Section 51.03 and Section 51.08, Family Code.

**S.B. 704** by Hance

Economic Development

Relating to disqualifications for unemployment compensation benefits; amending Section 5, Texas Unemployment Compensation Act, as amended (Article 5221b-3, Vernon's Texas Civil Statutes).

**S.B. 705** by Mengden

Natural Resources

Relating to the prohibition of certain injection wells for drainage of septic tank effluent; providing a civil penalty; and declaring an emergency.

**S.B. 706** by Mengden

State Affairs

Relating to the procedure for accepting a voter at the polling place; eliminating the signature roster and providing for placing the voter's signature on the list of registered voters; amending Subsection (1) of Section 51a, Subdivisions 1, 2, and 3 of Section 90, Section 113, and Subsection (4) of Section 179a, Texas Election Code, as amended (Articles 5.19a, 8.08, 8.31, and 13.01a, Vernon's Texas Election Code); repealing Section 199, Texas Election Code, as amended (Article 13.21, Vernon's Texas Election Code).

**S.B. 707** by Longoria

State Affairs

Relating to the qualifications and disqualifications of elections judges, clerks and watchers, and certain executive committee members; amending Section 17, Texas Election Code (Article 3.03, Vernon's Texas Election Code); amending Subdivision 1 and Subdivision 3, Section 18, Texas Election Code (Article 3.04, Vernon's Texas Election Code).

**S.J.R. 45** by Schwartz

Jurisprudence

Proposing an amendment to Article V, Section 6, Texas Constitution, to permit more associate justices on a court of civil appeals, to permit a court of civil appeal to sit in sections, and requiring a concurrence of a majority of justices for a decision

**S.C.R. 46** by Schwartz

Administration

Granting Hi-Way Billboards, Inc., permission to sue the State of Texas.

**HOUSE RESOLUTION ON FIRST READING**

The following resolution received from the House, was read the first time and referred to the Committee indicated:

H.C.R. 39, To Committee on Education.

**MESSAGE FROM THE HOUSE**

House Chamber  
February 23, 1977

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 1**, A bill to be entitled An Act relating to the reduction of and exemptions and exclusions from various state taxes and making changes in the administration, collection, and enforcement of certain state taxes; amending Article 14.02, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended, relating to inheritance taxes; amending Section (R) of Article 20.04 and adding a Section (AA) to Article 20.01, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended, exempting gas and electricity for residential use; amending Subsection B of Section 2, adding a Subsection L to Section 2, amending Section 4, adding Section 4A and 4B, amending Subsection (a) of Section 5, amending Paragraph (1) of Subsection C of Section 6, and amending Paragraph (3), Subsection C of Section 12, the Local Sales and Use Tax Act, as amended (Article 1066c, Vernon's Texas Civil Statutes), providing for the continuation of the application of the local sales tax on residential consumption of gas and electricity unless further exempted by a city.

**H.B. 8**, A bill to be entitled An Act relating to authorizing the executive director of the Parks and Wildlife Department to commission deputy game wardens; providing for the powers, duties, and privileges of deputy game wardens; amending Chapter 11, Parks and Wildlife Code, by adding a Section 11.020; and declaring an emergency.

**H.B. 16**, A bill to be entitled An Act establishing the Mountain Creek State Park and providing for its development, operation, and maintenance; providing for acquisition of land and interests in land; and declaring an emergency.

**H.B. 97**, A bill to be entitled An Act relating to the right of defense counsel to inspect a probation report; amending Section 4, Article 42.12, Code of Criminal Procedure, 1965; and declaring an emergency.

**H.B. 337**, A bill to be entitled An Act relating to the manner of filling vacancies in the office of trustee in certain junior college districts; amending Subsection (d), Section 130.082, Texas Education Code.

**H.B. 452**, A bill to be entitled An Act relating to the recovery of attorney's fees in suits founded on certain oral or written contracts; amending Article 2226, Revised Civil Statutes of Texas, 1925, as amended.

**H.B. 789**, A bill to be entitled An Act relating to the participation of the State of Texas in the Academic Common Market; adding a new Section 160.07 to the Texas Education Code; and declaring an emergency.

**H.B. 812**, A bill to be entitled An Act relating to the authority of the attorney general to defend certain suits against a grand juror or jury commissioner; amending Chapter 275, Acts of the 64th Legislature, Regular Session, 1975 (Article 4412h, Vernon's Texas Civil Statutes).

**H.B. 876**, A bill to be entitled An Act relating to the creation, administration, maintenance, operation, and financing of Reagan Hospital District of Reagan County, Texas, under Article IX, Section 9 of the Texas Constitution.

Respectfully submitted,  
**BETTY MURRAY**, Chief Clerk  
House of Representatives

### SENATE RESOLUTION 239

Senator Adams offered the following resolution:

WHEREAS, It has been the custom to have photographs of the Governor, Lieutenant Governor, Senators and Secretary of the Senate prepared on a block picture and placed in the Senate Chamber at the end of each legislative session; and

WHEREAS, It is the desire of the Senate to honor the children of the members of the Senate and the Lieutenant Governor as mascots; now, therefore, be it

RESOLVED, That all sons of the members of the Senate and the Lieutenant Governor who have not reached their fifth birthday are hereby elected mascots of the Senate, and that their pictures be included in the block picture of the Senate; and be it further

RESOLVED, That all daughters of the members of the Senate and the Lieutenant Governor who have not reached their fifth birthday are hereby elected sweethearts of the Senate, and that their pictures be included in the block picture of the Senate; and, be it further

RESOLVED, That this resolution shall not include the children previously named mascots or sweethearts in the Senate and whose pictures appear on existing block picture panels of the Senate; and, be it further

RESOLVED, By the Senate of Texas, of the 65th Legislature, that the Administration Committee arrange to have the photographs made of the Governor, Lieutenant Governor, Senators, Secretary of the Senate, Sergeant at Arms, Mascots and Sweethearts, and that said photographs be arranged in block panel and placed in the Senate Chamber, the expenses for which are to be paid out of the contingent fund of the Senate.

The resolution was read.

On motion of Senator Adams and by unanimous consent, the resolution was considered immediately and was adopted.

### BILL AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

**S.B. 250**  
**S.C.R. 10**

**SENATE CONCURRENT RESOLUTION 47**

On motion of Senator Creighton and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time:

**S.C.R. 47**, Commending the Panthers football team of Gorman, Texas.

The resolution was read and was adopted.

**MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on State Affairs, Sub-Committee on Nominations:

Austin, Texas  
February 23, 1977

**TO THE SENATE OF THE SIXTY-FIFTH LEGISLATURE, REGULAR SESSION:**

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the **FINANCE COMMISSION OF TEXAS**: For a six-year term to expire February 1, 1983: Mr. E. Michael Lallinger of Houston, Harris County is replacing Mr. C. E. Bentley, Jr. of Abilene, Taylor County whose term expired.

Respectfully submitted,  
**DOLPH BRISCOE**  
Governor of Texas

**NOTICE OF EXECUTIVE SESSION**

Senator McKnight gave Notice that he would move for an Executive Session of the Senate at 11:00 o'clock a.m. tomorrow.

**PRESENTATION OF GUESTS**

Senator McKnight introduced as guests of the Senate members of the Apache Belles and Band of Tyler Junior College.

Members of the Senate were presented roses for their lapels.

**SENATE BILL 543 ON SECOND READING**

On motion of Senator Traeger and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 543**, Amending Chapter 75, Acts of the Regular Session of the 50th Legislature, as amended, (Article 6243h, Vernon's Texas Civil Statutes, establishing and governing the Texas Municipal Retirement System) as follows: amending subsection 21 of Section II; amending paragraph (c) of Subsection 2 of Section IV;

amending subsection 3 of Section V; amending Subsections 3, 4 and 8 of Section VII; further amending Section VII by adding thereto new subsections 9, 10 and 11 to authorize the governing board of said System to make valuation increases in future payments on certain current service annuities and prior service annuities; and authorizing reduction (and restoration) of monthly payments and an annuity at request of the person entitled to such payment; and amending subsections 3, 4 and 5 of Section XVIII of said act; declaring this act to be severable; and declaring an emergency.

The bill was read second time.

Senator Traeger offered the following committee amendment to the bill:

Amend Senate Bill 543 by inserting after Section 1 a new section to be numbered Section 2, and by renumbering the succeeding sections of the bill to conform to the addition of the new section. The new Section 2 to be inserted is as follows:

Section 2. Subsection 24 of Section II of Chapter 75, Acts of the Regular Session of the 50th Legislature, as amended, (Article 6243h, Vernon's Texas Civil Statutes) is amended to read as follows:

"24. 'Current Interest' shall mean interest at a rate per annum ascertained each year as being the lesser of (1) the regular interest rate or (2) the amount in the Interest Fund on December 31st of such year after the transfer of all regular interest, divided by an amount equal to the amount in the Municipal Current Accumulation Fund at the beginning of such year plus the sum of the accumulated deposits in the Employees Saving Fund at the beginning of such year to the credit of all members included in the membership of the Retirement System on December 31st of such year before any transfers for retirements effective December 31st of such year are made."

~~["24. "Current Interest" shall mean interest at a rate per centum per annum ascertained each year by dividing (1) the amount in the Interest Fund on December 31 of such year before the transfer of interest to other funds, less an amount equal to regular interest for said year upon the sum of the mean amount in the Current Service Annuity Reserve Fund during such year and the mean amount in the Municipality Prior Service Accumulation Fund during such year and the mean amount in the Prior Service Annuity Reserve Fund during such year by (2) an amount equal to the amount in the Municipality Current Service Accumulation Fund at the beginning of such year plus the amount in the Endowment Fund at the beginning of such year and plus the sum of the accumulated deposits in the Employees Saving fund at the beginning of such year to the credit of all members included in the membership of the Retirement System on December 31 of such year before any transfers for retirements effective December 31 of such year are made, it being provided that the above division shall be carried to only three (3) decimal places and shall never be taken as greater than the rate of regular interest applicable for the same year.]~~

The committee amendment was read and was adopted.

Senator Traeger offered the following committee amendment to the bill:

Amend the caption of Senate Bill 543 by striking out in line 5 of the caption, the words "subsection 21" which appear after the word "amending" and before the words "of Section II", and by inserting in lieu thereof the words "subsections 21 and 24".



The committee amendment was read and was adopted.

The bill as amended was passed to engrossment.

#### SENATE BILL 543 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 543** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Andujar.

Absent-excused: Moore.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent: Andujar.

Absent-excused: Moore.

#### SENATE BILL 54 ON SECOND READING

Senator Doggett asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

**S.B. 54**, Relating to the periodic review by a joint legislative committee, and the termination or continuation by the legislature under certain circumstances, of certain state regulatory agencies and advisory committees; prescribing legislative consideration of said regulatory agencies and advisory committees; and declaring an emergency.

There was objection.

Senator Doggett then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.B. 54** for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 4.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Traeger, Truan, Williams.

Nays: Creighton, Harris, McKnight, Snelson.

Absent: Andujar.

Absent-excused: Moore.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend **S.B. 54** by deleting Sections 1.03 and 1.04 in their entirety and substituting the following in lieu thereof:

"Sec. 1.03. JOINT LEGISLATIVE COMMITTEE. (a) The Joint Legislative Committee for Review of Regulatory Agencies is created.

"(b) The joint committee is composed of four members of the senate appointed by the lieutenant governor and four members of the house appointed by the speaker of the house. Each appointing authority may designate himself as one of the four appointees.

"(c) Members appointed by the lieutenant governor and the speaker of the house serve four-year terms, with terms staggered so that the terms of one-half of the membership from each house expire every two years. When making the initial appointments, the lieutenant governor and the speaker of the house shall determine which of their respective appointees serve two-year terms and which serve four-year terms. If the lieutenant governor or the speaker serves on the committee, he continues to serve until resignation from the committee or until he ceases to hold the office.

"(d) Once a person has served six years on the joint committee, he is not eligible for appointment to another term or part of a term. A member who has served more than half of a full term may not be appointed to an immediately succeeding term. These restrictions do not apply to the lieutenant governor or the speaker of the house.

"(e) Each appointing authority shall make his appointments to the joint committee as soon as possible after final adjournment of the regular session.

"(f) A member of the joint committee vacates his position on the committee when he ceases to be a member of the house from which he was appointed.

"(g) a vacancy on the joint committee shall be filled for the unexpired part of the term in the same manner as the original appointment.

"(h) The members of the committee elect a chairman every two years from among their members. The chairmanship must alternate between the house and senate.

"(i) A quorum shall consist of at least six members, three of whom must be appointees of the Lieutenant Governor and three of whom must be appointees of the Speaker of the House. No final action or recommendation may be made unless approved by a record vote of a majority of the full membership of the appointees of the Lieutenant Governor and of the appointees of the Speaker of the House.

"(j) Each member of the joint committee is entitled to reimbursement from the appropriate fund of the member's respective house for the expenses he actually and necessarily incurs in performing the duties of the committee."

**Sec. 1.04. REPORT ON ADVISORY COMMITTEES.** After the effective date of this Act and before February 1 of the calendar year before a regulatory agency is abolished according to this Act, the regulatory agency shall file an annual

report with the secretary of state to register all of its advisory committees and report the following information regarding the regulatory agency's advisory committees:

- (a) the official names of the advisory committees;
- (b) the statutory authority, if any, for the advisory committees;
- (c) the advisory committees' objectives and functions;
- (d) the period of time necessary for the advisory committees to carry out their objectives;
- (e) a reference to the reports that the advisory committees have presented to the regulatory agency;
- (f) the names and occupations of the current members of the advisory committees; and
- (g) other available information that will assist the staff and the joint committee to determine the need for continuing the advisory committees.

The amendment was read and was adopted.

Senator Meier offered the following amendment to the bill:

Amend **S.B. 54** by amending Sections 1.06, 1.07 and 1.08 as follows:

Amend Section 1.06 by deleting in its entirety Sec. 1.06 and substituting the following in lieu thereof:

"Sec. 1.06. **PUBLIC HEARINGS.** Between June 1 and December 1 of the calendar year before the year a regulatory agency and its advisory committees are abolished according to this Act, the joint committee shall conduct public hearings on whether a public need exists for the continuation of the regulatory agency or its advisory committees or for the performance of the functions of the regulatory agency or its advisory committees.

Amend Section 1.07 by deleting in its entirety Sec. 1.07 and substituting the following in lieu thereof:

"Sec. 1.07. **JOINT LEGISLATIVE COMMITTEE REPORT.** Before December 31 of the calendar year before the year a regulatory agency and its advisory committees are abolished according to this Act, the joint committee shall present to the legislature and the governor a report on the regulatory agency and its advisory committees. In the report the joint committee shall include its specific findings with regard to each of the criteria set forth in Section 1.08 of this Act and its recommendations based on the matters set forth in Section 1.09 of this Act."

Amend Section 1.08 by deleting the word "and" at the end of Subsection (m), inserting the word "and" at the end of Subsection (n) and adding a new Subsection (o) to read as follows:

"(o) the impact of federal intervention or loss of federal funds if the agency or advisory committee ceased to exist;"

The amendment was read and was adopted.

Senator Meier offered the following amendment to the bill:

Amend **S.B. 54** at Page 6, Line 53, by striking the present "Section 1.15 Legislative Consideration" and substituting therefor the following:

Section 1.15. **LEGISLATIVE CONSIDERATION.** (a) No more than one regulatory agency and its functions and its advisory committees may be considered for continuation, transfer, or modification in a legislative bill except as hereinafter provided.

(b) A consolidation of one or more regulatory agencies and their advisory committees, if any, may be considered in a single legislative bill.

(c) In a bill to continue a regulatory agency, to transfer its functions, or to consolidate it with another agency, the affected agency or agencies shall be mentioned in the title of the bill.

(d) When an agency scheduled for review by prior authority has issued, and has remaining outstanding, bonded indebtedness, the responsibility for the management of the repayment of the bonded indebtedness through the continuation of that agency's functions limited merely to the repayment function shall be vested in the office of the Comptroller of Public Accounts.

The amendment was read and was adopted.

Senator Brooks offered the following amendment to the bill:

Amend **S.B. 54** by deleting Sections 1.14 and 1.16 as printed and substituting the following in lieu thereof:

"Section 1.14. **CONTINUATION BY LAW.** (a) During the regular session immediately preceding the abolition of a regulatory agency or an advisory committee that is subject to this Act, the legislature by law may continue the agency or advisory committee for a period of not to exceed eight years."

"(b) Nothing in this Act shall be construed to prohibit the legislature from terminating an agency or advisory committee subject to this Act at a date earlier than that provided herein. Nothing in this Act shall be construed to prohibit the legislature from considering any other legislation relative to an agency or advisory committee subject to this Act."

"Sec. 1.16. **AFTER TERMINATION.** (a) On abolishment in the odd-numbered year, each agency shall continue in existence until September 1 of the next succeeding year for the purpose of conducting its business. Unless otherwise provided by law abolishment does not reduce or otherwise limit the powers or authority of each respective agency during such concluding year. Upon the expiration of the one-year period after abolishment each respective agency is terminated and shall cease all activities.

"(b) All funds remaining to or with an agency or advisory committee on September 1 of the even-numbered year after abolishment of the agency or advisory committee lapse.

"(c) All money in a dedicated fund of an abolished agency or advisory committee on September 1 of the even-numbered year after abolishment of the agency or advisory committee is transferred to the general revenue fund unless otherwise provided by law. The law dedicating the money to a specific fund of an abolished agency becomes void on September 1 of the even-numbered year after abolishment of the agency.

"(d) If an abolished agency or advisory committee is funded in the General Appropriation Act for both years of the biennium, the abolished agency or advisory committee may not spend or obligate any of the money appropriated to it for the second year of the biennium, unless otherwise provided by law or rider in the appropriation bill."

The amendment was read and was adopted.

(Senator Jones of Taylor in Chair)

Senator Brooks offered the following amendment to the bill:

Amend S.B. 54, Article 2 to read as follows:

## ARTICLE 2. SPECIFIC SUNSET PROVISIONS

Sec. 2.01. The Public Accountancy Act of 1945, as amended (Article 41a, Vernon's Texas Civil Statutes), is amended by adding Section 4b to read as follows:

"Section 4b. The Texas State Board of Public Accountancy is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1979."

Sec. 2.02. The State Bar Act, as amended (Article 320a-1, Vernon's Texas Civil Statutes), is amended by adding Section 2A to read as follows:

"Section 2A. The State Bar is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the State Bar is abolished and this Act expires effective September 1, 1979."

Sec. 2.03. Chapter 65, Acts of the 41st Legislature, 1st Called Session, 1929, as amended (Article 8407a, Vernon's Texas Civil Statutes), is amended by adding Section 26a to read as follows:

"Section 26a. The State Board of Barber Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1979."

Sec. 2.04. Section 2, Chapter 1036, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 8451a, Vernon's Texas Civil Statutes), is amended by adding Subsection (f) to read as follows:

"(f) The Texas Cosmetology Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and this Act expires effective September 1, 1979."

Sec. 2.05. Section 3, Chapter 245, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 5221a-6, Vernon's Texas Civil Statutes), is amended by adding Subsection (j) to read as follows:

"(j) The Texas Private Employment Agency Regulatory Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1979."

Sec. 2.06. Section 2, Chapter 251, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4582b, Vernon's Texas Civil Statutes), is amended by adding Subsection N to read as follows:

"N. The State Board of Morticians is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1979."

Sec. 2.07. The Texas Motor Vehicle Commission Code, as amended (Article 4413(36), Vernon's Texas Civil Statutes), is amended by adding Section 2.01a to read as follows:

"Section 2.01a. The Texas Motor Vehicle Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and this Act expires effective September 1, 1979."

Sec. 2.08. Section 3, Texas Nursing Home Administrators Licensure Act, as amended (Article 4442d, Vernon's Texas Civil Statutes), is amended by adding Subsection (10) to read as follows:

"(10) The Texas Board of Licensure for Nursing Home Administrators is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1979."

Sec. 2.09. Section 5, Real Estate License Act, as amended (Article 6573a, Vernon's Texas Civil Statutes), is amended by adding Subsection (k) to read as follows:

"(k) The Texas Real Estate Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and this Act expires effective September 1, 1979."

Sec. 2.10. Section 4, Texas Pesticide Control Act, as amended (Article 135b-5a, Vernon's Texas Civil Statutes), is amended by adding Subsection (c) to read as follows:

"(c) The Pesticide Advisory Committee is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the committee is abolished effective September 1, 1979."

Sec. 2.11. Chapter 3, Title 4, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 76a to read as follows:

"Article 76a. The Pink Bollworm Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished effective September 1, 1979."

Sec. 2.12. Chapter 478, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 249a, Vernon's Texas Civil Statutes), is amended by adding Section 2a to read as follows:

"Section 2a. The Board of Architectural Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.13. Section 2, Chapter 498, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 4512d, Vernon's Texas Civil Statutes), is amended by adding Subsection (e) to read as follows:

"(e) The Advisory Board of Athletic Trainers is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.14. Title 14, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 304a to read as follows:

"Article 304a. The Board of Law Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1981."

Sec. 2.15. The Texas Engineering Practice Act, as amended (Article 3271a, Vernon's Texas Civil Statutes), is amended by adding Section 3a to read as follows:

"Section 3a. The State Board of Registration for Professional Engineers is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.16. Chapter 668, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 4413(35), Vernon's Texas Civil Statutes), is amended by adding Section 1a to read as follows:

"Section 1a. The Commission on Fire Protection Personnel Standards and Education is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and this Act expires effective September 1, 1981."

Sec. 2.17. Chapter 457, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 249c, Vernon's Texas Civil Statutes), is amended by adding Section 3a to read as follows:

"Section 3a. The Texas State Board of Landscape Architects is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.18. Chapter 546, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 4413(29aa), Vernon's Texas Civil Statutes), is amended by adding Section 1a to read as follows:

"Section 1a. The Commission on Law Enforcement Officer Standards and Education is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and this Act expires effective September 1, 1981."

Sec. 2.19. Title 35, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 1682a to read as follows:

"Article 1682a. The State Board of Library Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1981."

Sec. 2.20. The Plumbing License Law of 1947, as amended (Article 6243-101, Vernon's Texas Civil Statutes), is amended by adding Section 4a to read as follows:

"Section 4a. The Texas State Board of Plumbing Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.21. Section 5, Polygraph Examiners Act, as amended (Article 4413(29cc), Vernon's Texas Civil Statutes), is amended by adding Subsection (e) to read as follows:

"(e) The Polygraph Examiners Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.22. Section 4, Private Investigators and Private Security Agencies Act, as amended (Article 4413(29bb), Vernon's Texas Civil Statutes), is amended by adding Subsection (d) to read as follows:

"(d) The Texas Board of Private Investigators and Private Security Agencies is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.23. The Public Utility Regulatory Act (Article 1446c, Vernon's Texas Civil Statutes), is amended by adding Section 5a to read as follows:

"Section 5a. The Public Utility Commission of Texas is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and this Act expires effective September 1, 1981."

Sec. 2.24. Section 3, Texas Structural Pest Control Act, as amended (Article 135b-6, Vernon's Texas Civil Statutes), is amended by adding Subsection (e) to read as follows:

"(e) The Texas Structural Pest Control Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.25. The Registered Public Surveyors Act of 1955, as amended (Article 5282a, Vernon's Texas Civil Statutes), is amended by adding Section 4a to read as follows:

"Section 4a. The State Board of Registration for Public Surveyors is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.26. Chapter 2, Title 86, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 5268a to read as follows:

"Article 5268a. The Board of Examiners of State Land Surveyors is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1981."

Sec. 2.27. The Water Well Drillers Act, as amended (Article 7621c, Vernon's Texas Civil Statutes), is amended by adding Section 6a to read as follows:

"Section 6a. The Texas Water Well Drillers Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.28. Chapter 21, Water Code, as amended, is amended by adding Section 21.0211 to read as follows:

"Sec. 21.0211. The Texas Water Quality Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1981."

Sec. 2.29. Chapter 11, Title 112, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 6445a to read as follows:

"Article 6445a. The Railroad Commission of Texas is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished effective September 1, 1981."

Sec. 2.30. The Texas Clean Air Act, as amended (Article 4477-5, Vernon's Texas Civil Statutes), is amended by adding Section 2.01a to read as follows:

"Section 2.01a. The Texas Air Control Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1981."

Sec. 2.31. Chapter 6, Water Code, as amended, is amended by adding Section 6.0111 to read as follows:

"Sec. 6.0111. The Texas Water Rights Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished effective September 1, 1981."

Sec. 2.32. Section 5, The Veterinary Licensing Act, as amended (Article 7465a, Vernon's Texas Civil Statutes), is amended by adding Subsection (g) to read as follows:

"(g) The State Board of Veterinary Medical Examiners is as provided by that Act the board is abolished and this Act expires effective September 1, 1983."

Sec. 2.33. Chapter 11, Title 71, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 4568b to read as follows:

"Article 4568b. The Texas State Board of Podiatry Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1983."

Sec. 2.34. The Psychologists' Certification and Licensing Act, as amended (Article 4512c, Vernon's Texas Civil Statutes), is amended by adding Section 4a to read as follows:

"Section 4a. The Texas State Board of Examiners of Psychologists is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1983."

Sec. 2.35. The Social Psychotherapist Regulation Act (Article 4512f, Vernon's Texas Civil Statutes), is amended by adding Section 4a to read as follows:

"Section 4a. The Texas State Board of Examiners in Social Psychotherapy is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1983."

Sec. 2.36. Chapter 95, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 4590c, Vernon's Texas Civil Statutes), is amended by adding Section 3a to read as follows:

"Section 3a. The State Board of Examiners in the Basic Sciences is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1983."

Sec. 2.37. Section 3, Chapter 94, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 4512c, Vernon's Texas Civil Statutes), is amended by adding Subsection (c) to read as follows:

"(c) The Texas Board of Chiropractic Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1983."



Sec. 2.38. Chapter 9, Title 71, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 4543a to read as follows:

"Article 4543a. The State Board of Dental Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1983."

Sec. 2.39. The Texas Health Planning and Development Act (Article 4418h, Vernon's Texas Civil Statutes), is amended by adding Section 2.01a to read as follows:

"Section 2.01a. The Texas Health Facilities Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and Subchapters B and C of this Act expire effective September 1, 1983."

Sec. 2.40. Chapter 42, Acts of the 40th Legislature, 1st Called Session, 1927, as amended (Article 4414a et seq., Vernon's Texas Civil Statutes), is amended by adding Section 1a to read as follows:

"Section 1a. The Texas Department of Health Resources is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the department is abolished effective September 1, 1983."

Sec. 2.41. Section 2.02, Texas Youth Camp Safety and Health Act (Article 4447, Vernon's Texas Civil Statutes), is amended by adding Subsection (c-1) to read as follows:

"(c-1) The Advisory Council on Youth Camp Safety is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the council is abolished effective September 1, 1983."

Sec. 2.42. Section 2, Chapter 618, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4476-11, Vernon's Texas Civil Statutes), is amended by adding Subsection (f) to read as follows:

"(f) The Advisory Committee (in the proper use of synthetic narcotic drugs) is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the committee is abolished effective September 1, 1983."

Sec. 2.43. The Texas Hospital Licensing Law, as amended (Article 4437f, Vernon's Texas Civil Statutes), is amended by adding Section 14a to read as follows:

"Section 14a. The Hospital Licensing Advisory Council is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the council is abolished effective September 1, 1983."

Sec. 2.44. Section 5, Chapter 72, Acts of the 57th Legislature, Regular Session, 1961 (Article 4590f, Vernon's Texas Civil Statutes), is amended by adding Subsection (c) to read as follows:

"(c) The Radiation Advisory Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1983."

Sec. 2.45. Chapter 51, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-12, Vernon's Texas Civil Statutes), is amended by adding Section 8a to read as follows:

"Section 8a. The Tuberculosis Advisory Committee and the Tuberculosis Credentials Committee are subject to the Texas Sunset Act; and unless continued in existence as provided by that Act each committee is abolished effective September 1, 1983."

Sec. 2.46. Chapter 300, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-3, Vernon's Texas Civil Statutes), is amended by adding Section 9a to read as follows:

"Section 9a. The Sanitarian Advisory Committee is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the committee is abolished effective September 1, 1983."

Sec. 2.47. Section 2, Chapter 366, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 4566-1.02, Vernon's Texas Civil Statutes), is amended by adding Subsection (f) to read as follows:

"(f) The Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1983."

Sec. 2.48. Chapter 6, Title 71, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 4495a to read as follows:

"Article 4495a. The Texas State Board of Medical Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1983."

Sec. 2.49. Chapter 7, Title 71, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 4513a to read as follows:

"Article 4513a. The Board of Nurse Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1983."

Sec. 2.50. Chapter 13, Acts of the 51st Legislature, 1st Called Session, 1950 (Article 4528b, Vernon's Texas Civil Statutes), is amended by adding Section 1a to read as follows:

"Section 1a. The Board of Tuberculosis Nurses Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1983."

Sec. 2.51. Section 4, Chapter 118, Acts of the 52nd Legislature, Regular Session, 1951, as amended (Article 4528c, Vernon's Texas Civil Statutes), is amended by adding Subsection (e) to read as follows:

"(e) The Board of Vocational Nurse Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1983."

Sec. 2.52. The Texas Optometry Act, as amended (Article 4552-1.01 et seq., Vernon's Texas Civil Statutes), is amended by adding Section 2.01a to read as follows:

"Section 2.01a. The Texas Optometry Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1983."

Sec. 2.53. Chapter 107, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 4542a, Vernon's Texas Civil Statutes), is amended by adding Section 1a to read as follows:

"Section 1a. The State Board of Pharmacy is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1983."

Sec. 2.54. Section 2, Chapter 836, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4512e, Vernon's Texas Civil Statutes), is amended by adding Subsection (f) to read as follows:

"(f) The Texas Board of Physical Therapy Examiners is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1983."

Sec. 2.55. Article I, Texas Liquor Control Act, as amended (Article 666-1 et seq., Vernon's Texas Penal Auxiliary Laws), is amended by adding Section 5c to read as follows:

"Section 5c. The Texas Alcoholic Beverage Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and this Act expires effective September 1, 1985."

Sec. 2.56. Chapter 587, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 4413(41), Vernon's Texas Civil Statutes), is amended by adding Section 1B to read as follows:

"Section 1B. The Texas Amusement Machine Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and this Act expires effective September 1, 1985."

Sec. 2.57. Article 2.02, Title 79, Revised Civil Statutes of Texas, 1925, as amended (Article 5069-2.02, Vernon's Texas Civil Statutes), is amended by adding Subsection (8) to read as follows:

"(8) The Office of Consumer Credit Commissioner is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the office is abolished effective September 1, 1985."

Sec. 2.58. Section 11.01, Texas Credit Union Act, as amended (Article 2461-11.01, Vernon's Texas Civil Statutes), is amended by adding Subsection (c) to read as follows:

"(c) The Credit Union Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and this Act expires effective September 1, 1985."

Sec. 2.59. Article 1.02, Insurance code, as amended, is amended by adding Subsection (f) to read as follows:

"(f) The State Board of Insurance is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1985."

Sec. 2.60. Section 5a, Article 21.14, Insurance Code, as amended, is amended by adding Subsection (d) to read as follows:

"(d) The Agents' Education Advisory Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1985."

Sec. 2.61. Article 21.28-C, Insurance Code, as amended, is amended by adding Section 14a to read as follows:

"Section 14a. The Texas Property and Casualty Advisory Association is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the association is abolished effective September 1, 1985."

Sec. 2.62. Article 21.28-E, Insurance Code, is amended by adding Section 14a to read as follows:

"Section 14a. The Texas Life, Health and Accident Guaranty Association is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the association is abolished effective September 1, 1985."

Sec. 2.63. Section 2, Securities Act, as amended (Article 581-2, Vernon's Texas Civil Statutes), is amended by adding Subsection F to read as follows:

"F. The State Securities Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1985."

Sec. 2.64. Section 3, Chapter 344, Acts of the 49th Legislature, Regular Session, 1945, as amended (Article 46c-3, Vernon's Texas Civil Statutes), is amended by adding Subsection (c) to read as follows:

"(c) The Texas Aeronautics Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished effective September 1, 1985."

Sec. 2.65. Chapter 1, Title 4, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 47a to read as follows:

"Article 47a. The office of Commissioner of Agriculture is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the office is abolished effective September 1, 1985."

Sec. 2.66. Section 2, Chapter 296, Acts of the 62nd Legislature, Regular Session, 1971 (Article 5736g, Vernon's Texas Civil Statutes), is amended by adding Subsection (e) to read as follows:

"(e) The Dairy Advisory Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1985."

Sec. 2.67. The Texas Egg Law, as amended (Article 165-3, Vernon's Texas Civil Statutes), is amended by adding Section 13a to read as follows:

"Section 13a. The Egg Marketing Advisory Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1985."

Sec. 2.68. Subchapter II, The Texas Banking Code of 1943, as amended (Article 342-201 et seq., Vernon's Texas Civil Statutes), is amended by adding Article 1a to read as follows:

"Article 1a. The office of Banking Commissioner and the Banking Department of Texas are subject to the Texas Sunset Act; and unless both are continued in existence as provided by that Act both are abolished effective September 1, 1985."

Sec. 2.69. Article 5, Subchapter II, The Texas Banking Code of 1943, as amended (Article 342-205, Vernon's Texas Civil Statutes), is amended by adding Subsection (j) to read as follows:

"(j) The office of Savings and Loan Commissioner and the Savings and Loan Department are subject to the Texas Sunset Act; and unless both are continued in existence as provided by that Act both are abolished effective September 1, 1985."

Sec. 2.70. Chapter 524, Acts of the 51st Legislature, Regular Session, 1949 (Article 165-7, Vernon's Texas Civil Statutes), is amended by adding Section 1a to read as follows:

"Section 1a. The Poultry Improvement Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1985."

Sec. 2.71. Chapter 8, Title 121, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 7009c to read as follows:

"Article 7009c. The Texas Animal Health Commission is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished effective September 1, 1985."

Sec. 2.72. Article 15, Subchapter I, Texas Banking Code of 1943, as amended (Article 342-115, Vernon's Texas Civil Statutes), is amended by adding Subsection 5 to read as follows:

"5. The State Banking Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1985."

Sec. 2.73. Chapter 14, Insurance Code, as amended, is amended by adding Article 14.40a to read as follows:

"Article 14.40a. The Burial Association Rate Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished effective September 1, 1985."

Sec. 2.74. Section 2, Public Welfare Act of 1941, as amended (Article 695c, Vernon's Texas Civil Statutes), is amended by adding Subsection (4) to read as follows:

"(4) The State Department of Public Welfare is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the department is abolished and this Act expires effective September 1, 1985."

Sec. 2.75. The Medical Assistance Act of 1967, as amended (Article 695j-1, Vernon's Texas Civil Statutes), is amended by adding Section 3a to read as follows:

"Section 3a. The Medical Care Advisory Committee is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the committee is abolished effective September 1, 1985."

Sec. 2.76. Section 16, Child Care Licensing Act (Article 695a-3, Vernon's Texas Civil Statutes), is amended by adding Subsection (h) to read as follows:

"(h) The State Advisory Committee on Child Care Facilities is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the committee is abolished effective September 1, 1985."

Sec. 2.77. Section 3, Texas Seed and Plant Certification Act (Article 67b, Vernon's Texas Civil Statutes), is amended by adding Subsection (e) to read as follows:

"(e) The State Seed and Plant Board is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the board is abolished and this Act expires effective September 1, 1985."

Sec. 2.78. Subchapter I, The Texas Banking Code of 1943, as amended (Article 342-101 et seq., Vernon's Texas Civil Statutes), is amended by adding Article 3a to read as follows:

"Article 3a. The Finance Commission of Texas is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished effective September 1, 1985."

Sec. 2.79. Chapter 1, Title 83, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 5144a to read as follows:

"Article 5144a. The office of Commissioner of Labor and Standards is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the office is abolished effective September 1, 1985."

Sec. 2.80. Title 17, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Article 549a to read as follows:

"Article 549a. The office of State Entomologist is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the office is abolished effective September 1, 1985."

Sec. 2.81. Chapter 521, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4413(40), Vernon's Texas Civil Statutes), is amended by adding Section 1a to read as follows:

"Section 1a. The Commission for the Texas Civil Air Patrol is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the commission is abolished and this Act expires effective September 1, 1985."

The amendment was read.

Senator Meier offered the following amendment to the pending amendment:

Amend floor amendment no. 5 by deleting Sec. 2.29 and renumbering the remaining sections accordingly.

The amendment to the pending amendment was read.

Senator Doggett moved to table the amendment to the pending amendment. The motion to table was lost by the following vote: Yeas 12, Nays 18.

Yeas: Clower, Doggett, Jones of Harris, Kothmann, Lombardino, Mauzy, Mengden, Parker, Patman, Schwartz, Traeger, Truan.

Nays: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Taylor, Longoria, McKnight, Meier, Ogg, Santiesteban, Sherman, Snelson, Williams.

Absent-excused: Moore.

The amendment to the pending amendment was then adopted by the following vote: Yeas 18, Nays 12.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Taylor, McKnight, Meier, Mengden, Ogg, Santiesteban, Sherman, Snelson, Williams.

Nays: Clower, Doggett, Jones of Harris, Kothmann, Lombardino, Longoria, Mauzy, Parker, Patman, Schwartz, Traeger, Truan.

Absent-excused: Moore.

Senator Meier offered the following amendment to the pending amendment:

Amend floor amendment no. 5 as printed by renumbering Section 2.01 as Section 2.01A and inserting immediately before Section 2.02 a new Section 2.01B to read as follows:

Sec. 2.01B. Section 5, Chapter 410, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 6674v, Vernon's Texas Civil Statutes), is amended by adding Subsection (p) to read as follows:

"(p) The Texas Turnpike Authority is subject to the Texas Sunset Act; and unless continued in existence as provided by that Act the Authority is abolished and this Act expires effective September 1, 1979."

The amendment to the pending amendment was read and was adopted.

#### **RECORD OF VOTES**

Senators Ogg, Harris, Braecklein, Adams, Jones of Taylor, Snelson, Creighton and Farabee asked to be recorded as voting "Nay" on the adoption of the amendment to the pending amendment.

Senator Sherman offered the following amendment to the pending amendment:

Amend floor amendment no. 5 by striking Section 2.65 and renumbering subsequent sections accordingly.

The amendment to the pending amendment was read and was adopted by the following vote: Yeas 19, Nays 11.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, McKnight, Meier, Mengden, Ogg, Santiesteban, Sherman, Snelson, Williams.

Nays: Clower, Doggett, Kothmann, Lombardino, Longoria, Mauzy, Parker, Patman, Schwartz, Traeger, Truan.

Absent-excused: Moore.

The amendment as amended was then adopted.

**RECORD OF VOTES**

Senators Harris, Ogg, Creighton and Braecklein asked to be recorded as voting "Nay" on the adoption of the amendment as amended.

(President in Chair)

Senator McKnight offered the following amendment to the bill:

Amend **S.B. 54** by striking all below the enacting clause as to be a true Sunset amendment.

The amendment was read.

On motion of Senator Doggett the amendment was tabled by the following vote: Yeas 25, Nays 5.

Yeas: Aikin, Andujar, Braecklein, Brooks, Clower, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Traeger, Truan, Williams.

Nays: Adams, Creighton, Harris, McKnight, Snelson.

Absent-excused: Moore.

On motion of Senator Doggett and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**RECORD OF VOTES**

Senators Harris, McKnight, Snelson and Creighton asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**SENATE BILL 54 ON THIRD READING**

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 54** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Traeger, Truan, Williams.

Nays: Creighton, Harris, McKnight, Snelson.

Absent-excused: Moore.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

### **RECORD OF VOTES**

Senators Harris, McKnight and Creighton asked to be recorded as voting "Nay" on the final passage of the bill.

### **WELCOME AND CONGRATULATORY RESOLUTIONS**

**S.R. 240** - by Doggett: Extending welcome to Reverend Jerry Tompkins.

**S.R. 241** - by Adams: Extending congratulations to Zelma Childers.

**S.R. 242** - by Clower: Extending welcome to Bill Jackson.

**S.R. 243** - by Clower: Extending welcome to John Powell.

**S.R. 244** - by Clower: Extending welcome to Art Keeney.

**S.R. 245** - by Clower: Extending welcome to Willie Hodge.

**S.R. 246** - by Clower: Extending welcome to Mack Cooper.

**S.R. 247** - by Clower: Extending welcome to Rex Carpenter.

**S.R. 248** - by Clower: Extending welcome to Jim Acker.

**S.R. 249** - by Clower: Extending welcome to Gene Sears.

**S.R. 250** - by Clower: Extending welcome to Dr. Kenneth Walker.

**S.R. 251** - by Clower: Extending welcome to Frank Qubty.

**S.R. 252** - by Clower: Extending welcome to Eddie Wilson.

**S.R. 253** - by Snelson: Extending welcome to Comfort High School Senior Government Class.

**S.R. 254** - by Schwartz: Extending congratulations to the Magen David Adom.

**S.R. 255** - by Jones of Harris: Extending welcome to Worthing Senior High School Students.

**S.R. 256** - by Aikin: Extending welcome to Dr. Norman Hackerman.

### **ADJOURNMENT**

On motion of Senator Aikin the Senate at 12:13 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.



**APPENDIX****Sent to Governor**

(February 23, 1977)

**S.B. 250****S.C.R. 10****TWENTY-FIFTH DAY**

(Thursday, February 24, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Absent-excused: Clower, Sherman.

A quorum was announced present.

The Reverend Jack W. Langford, Episcopal Church of the Resurrection, Austin, Texas, offered the invocation as follows:

O God, the fountain of wisdom, whose statutes are good, gracious and whose law is truth. Guide and bless we beseech Thee this Senate now in session; prosper all their consultations to the advancement of Thy glory, the safety and welfare of Your people; grant unto them that they may help lay the best of foundations that our people may give respect to all of their considered judgments; and that peace and happiness may prevail; that our State may have an ordered and settled way of living by their endeavors.

As they seek not their own ends, but Your honor and glory, Oh Father, enlighten them to understand that thereby they will care for the people of the State with their myriad needs, their undiscerned desires. We seek, O Lord, Most High, Thou who hast created and still creates men's hearts anew each day, the pouring out of Your healthful Spirit upon these Senators, and that they may truly please Thee, strengthen them with the continual dew of Your blessings; through Your most blessed word taking every firmer root in their lives; we ask it in Your most wonderful name, Oh Artificer of the Universe. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.